



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,805	05/24/2000	Thomas T. Hansen	1063.004US1	4540

21186 7590 06/27/2003

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. BOX 2938  
MINNEAPOLIS, MN 55402

EXAMINER

JONES, JUDSON

ART UNIT PAPER NUMBER

2834

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED  
JUL 18 2003  
TECHNOLOGY CENTER 2800

**SUPPLEMENTAL**  
**Notice of Allowability**

Application No.

09/577,805

Examiner

Judson H. Jones

Applicant(s)

HANSEN ET AL.

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to formal drawings filed 6/2/2003.
2. ☒ The allowed claim(s) is/are 1-8, 10-14, 16-20, 22, 24, 25 and 27-74.
3. ☒ The drawings filed on 02 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted b low. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____    |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input type="checkbox"/> Examiner's Amendment/Comment                    |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9 <input type="checkbox"/> Other   |

  
NESTOR RAMIREZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

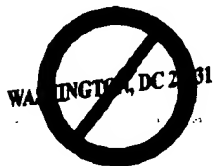
# The United States Patent and Trademark Office has changed certain mailing addresses!

Effective May 1, 2003

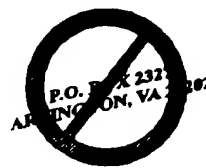
Use the address provided in this flyer after May 1, 2003 for any correspondence with the United States Patent and Trademark Office (USPTO) in patent-related matters to organizations reporting to the Commissioner for Patents.

DO NOT USE the Washington DC 20231 and P.O. Box 2327 Arlington, VA 22202 addresses after May 1, 2003 for any correspondence with the USPTO even if these old addresses are indicated in the accompanying Office action or Notice or in any other action, notice, material, form, instruction or other information.

Correspondence in patent-related matters to organizations reporting to the Commissioner for Patents must now be addressed to:



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



## Special Mail Stop designations to replace Special Box designations

Also effective May 1, 2003, the USPTO is changing the special Box designations for Patents and Trademarks to corresponding Mail Stop designations (e.g., "Box 4" will now be "Mail Stop 4").

For further information, see *Correspondence with the United States Patent and Trademark Office*, 68 Fed. Reg. 14332 (March 25, 2003). A copy of the *Federal Register* notice is available on the USPTO's web site at <http://www.uspto.gov/web/menu/current.html#register>

A listing of specific USPTO mailing addresses (See Patents – specific) will be available on the USPTO's web site on April 15, 2003 at <http://www.uspto.gov/main/contacts.htm>

Persons filing correspondence with the Office should check the rules of practice, the Official Gazette, or the Office's Internet Web site ([www.uspto.gov](http://www.uspto.gov)) to determine the appropriate address and Mail Stop Designation (if applicable) for all correspondence being delivered to the USPTO via the United States Postal Service (USPS).

Questions regarding the content of this flyer should be directed to the Inventor Assistance Center at (703) 308-4357 or toll-free at 1-800-786-9199.

- (4) A claim may be canceled by merely providing an instruction to cancel. Listing a claim as canceled will constitute an instruction to cancel. Any claims added by amendment must be indicated as (new) and shall not be underlined.
- (5) All of the claims in each amendment paper must be presented in ascending numerical order. Consecutive canceled or withdrawn claims may be aggregated into one statement (e.g., Claims 1 – 5 (canceled)).

**Example of listing of claims (use of the word "claim" before the claim number is optional):**

Claims 1-5 (canceled)

Claim 6 (withdrawn)

Claim 7 (previously amended): A bucket with a handle.

Claim 8 (currently amended): A bucket with a ~~green~~ blue handle.

Claim 9 (withdrawn)

Claim 10 (original): The bucket of claim 8 with a wooden handle.

Claim 11 (canceled)

Claim 12 (re-presented – formerly dependent claim 11) A black bucket with a wooden handle.

Claim 13 (previously added): A bucket having a circumferential upper lip.

Claim 14 (new): A bucket with plastic sides and bottom.

**B) Amendments to the specification:**

Amendments to the specification must be made by presenting a replacement paragraph or section marked up to show changes made relative to the immediate prior version. An accompanying clean version is not required and should not be presented. If a substitute specification is being submitted to incorporate extensive amendments, both a clean version (which will be entered) and a marked up version must be submitted as per current 37 CFR 1.125.

**C) Amendments to drawing figures:**

Drawing changes must be made by presenting replacement figures which incorporate the desired changes and which comply with § 1.84. An explanation of the changes made must be presented in the remarks section of the amendment. Any replacement drawing sheet must include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure or figure number of the amended drawing should not be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Any questions regarding the submission of amendments pursuant to the revised practice set forth in this flyer should be directed to the following legal advisors in the Office of Patent Legal Administration (OPLA): Elizabeth Dougherty ([Elizabeth.Dougherty@uspto.gov](mailto:Elizabeth.Dougherty@uspto.gov)), Gena Jones ([Eugenia.Jones@uspto.gov](mailto:Eugenia.Jones@uspto.gov)) or Joe Narcavage ([Joseph.Narcavage@uspto.gov](mailto:Joseph.Narcavage@uspto.gov)). For information on the waiver or legal aspects of the prototype, please contact Jay Lucas ([Jay.Lucas@uspto.gov](mailto:Jay.Lucas@uspto.gov)), Senior Legal Advisor (PCTLA) or Rob Clarke ([Robert.Clarke@uspto.gov](mailto:Robert.Clarke@uspto.gov)), Senior Legal Advisor (OPLA). Alternatively, further information may be obtained by calling OPLA at (703) 305-1616.

\* Revised Notice: See Sec. B) for changes relating to substitute specifications, and Sec. C) for changes on replacement drawing practice.

## Revised Notice\*

# AMENDMENTS MAY NOW BE SUBMITTED IN REVISED FORMAT

The United States Patent and Trademark Office (USPTO) is permitting applicants to submit amendments in a revised format as set forth below. Further details of this practice are described in *AMENDMENTS IN A REVISED FORMAT NOW PERMITTED*, signed January 31, 2003, expected to be published in *Official Gazette* on February 25, 2003 (Notice posted on the Office's web site at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/revamdtprac.htm>). The revised amendment format is essentially the same as the amendment format that the Office is considering adopting via a revision to 37 CFR 1.121 (Manner of Making Amendments). The revision to 37 CFR 1.121 (if adopted) will simplify amendment submission and improve file management. The Office plans to adopt such a revision to 37 CFR 1.121 by July of 2003, at which point compliance with revised 37 CFR 1.121 will be mandatory.

Effective immediately, all applicants may submit amendments in reply to Office actions using the following format. Participants in the Office's electronic file wrapper prototype<sup>1</sup> receiving earlier notices of the revised practice may also employ the procedures set out below.

### REVISED FORMAT OF AMENDMENTS

#### Begin on separate sheets:

Each section of an Amendment (e.g., Claim Amendments, Specification Amendments, Drawing Amendments, and Remarks) should begin on a separate sheet. *For example*, in an amendment containing a.) introductory comments, b.) amendments to the claims, c.) amendments to the specification, and d.) remarks, each of these sections must begin on a separate sheet. This will facilitate the process of separately indexing and scanning of each part of an amendment document for placement in an electronic file wrapper.

#### Two versions of amended part(s) no longer required:

The current requirement in 37 CFR 1.121(b) and (c) to provide two versions (a clean version and a marked up version) of each replacement paragraph, section or claim will be waived where an amendment is submitted in revised format below. The requirements for substitute specifications under 37 CFR 1.125 will be retained.

#### A) Amendments to the claims:

Each amendment document that includes a change to an existing claim, or submission of a new claim, must include a complete listing of all claims in the application. After each claim number, the status must be indicated in a parenthetical expression, and the text of each claim under examination (with markings to show current changes) must be presented. The listing will serve to replace all prior versions of the claims in the application.

- (1) The current status of all of the claims in the application, including any previously canceled or withdrawn claims, must be given. Status is indicated in a parenthetical expression following the claim number by one of the following: (original), (currently amended), (previously amended), (canceled), (withdrawn), (new), (previously added), (reinstated – formerly claim # ), (previously reinstated), (re-presented – formerly dependent claim # ), or (previously re-presented). The text of all pending claims under examination must be submitted each time any claim is amended. Canceled and withdrawn claims should be indicated by only the claim number and status.
- (2) All claims being currently amended must be presented with markings to indicate the changes that have been made relative to the immediate prior version. The changes in any amended claim should be shown by strikethrough (for deleted matter) or underlining (for added matter). An accompanying clean version is not required and should not be presented. Only claims of the status "currently amended" will include markings.
- (3) The text of pending claims not being amended must be presented in clean version, i.e., without any markings. Any claim text presented in clean version will constitute an assertion that it has not been changed relative to the immediate prior version.

---

<sup>1</sup> The Office's Electronic File Wrapper prototype program is described in *USPTO ANNOUNCES PROTOTYPE OF IMAGE PROCESSING*, 1265 *Off. Gaz. Pat. Office* 87 (Dec. 17, 2002) ("Prototype Announcement"), and applies only to Art Units 1634, 2827 and 2834.

# NOTIFICATION OF REQUESTED NEW FORMAT FOR AMENDMENTS AND/OR RESPONSES FILED IN ART UNITS 1634, 2827, AND 2834

The United States Patent and Trademark Office (USPTO) is currently conducting a prototype of electronic application processing and examination in **Art Units 1634, 2827, and 2834**. To facilitate the prototype, the following changes in format for Amendments and/or Responses filed in those Art Units are requested.

## **Requested Format of Amendments and Responses during the prototype.**

Each section of an Amendment and/or Response (e.g., Claim Amendments, Specification Amendments, Remarks) should begin on a separate sheet to facilitate separate indexing and scanning of the document. *For example*, in an Amendment containing a.) introductory comments, b.) amendments to the claims, c.) amendments to the specification, and d.) remarks, each of these sections should begin on a separate sheet. **For each amendment filed in Art Units 1634, 2827, and 2834, the requirement to provide two sets of claims (a clean version and a marked up version), as set forth in 37 CFR 1.121(c), will be waived where the following format is employed.**

Each amendment that includes a change to an existing claim, or submission of a new claim shall be made by submitting a **summary document with the status of all claims and the text of all pending claims as follows:**

- (1) The status of all of the claims in the application, including any previously canceled or withdrawn claims, must be summarized in each amendment document. Status is indicated by a parenthetical expression following the claim number (e.g. (original), (currently amended), (previously amended), (canceled), (withdrawn), or (new)). The text of all pending claims must be submitted each time any claim is amended. Canceled and withdrawn claims may be indicated by only the claim number and status.
- (2) All claims being currently amended must be submitted with markings to indicate the changes that have been made. The changes in any amended claim may be shown by strikethrough (for deleted matter) or underlining (for added matter), or by any equivalent marking system.
- (3) The text of pending claims not being amended must be presented in each amendment document in clean version, i.e., without any markings. Any claim presented in clean version will constitute an assertion that it has not been changed relative to the immediate prior version.
- (4) A claim may be canceled by merely providing an instruction to cancel. Any claims added by amendment must be indicated as (new).
- (5) All of the claims in each amendment paper must be presented in ascending numerical order. Consecutive canceled or withdrawn claims may be aggregated into one statement (e.g. Claims 1 – 5 (canceled)).

Amendments to the specification are performed in the conventional manner (37 CFR 1.121(b)).

## **Patent Copies**

Additionally, applicants and practitioners will no longer be required to provide copies of U.S. Patents and Published U.S. Patent Applications cited in any Information Disclosure Statement (IDS) submitted to the USPTO during the prototype and in applications assigned to the three art units. It is requested that eIDSs be used to file all IDS papers for applications before the prototype Art Units. Similarly, during the prototype, copies of U.S. Patents and Published U.S. Patent Applications cited by an examiner during prosecution of an application will not be provided to applicants in Office actions from these Art Units. These documents are available from the USPTO web site, [www.uspto.gov](http://www.uspto.gov) for free download. Cited foreign patents and published applications and non-patent literature will be mailed by conventional processing.

**The above requested new format and procedures are applicable during the prototype only to applications assigned to Art Units 1634, 2827, and 2834.** Any questions regarding these requirements may be directed to [image.processing@uspto.gov](mailto:image.processing@uspto.gov) or one of the Supervisory Patent Examiners of these Art Units 1634 – [Gary.Jones@uspto.gov](mailto:Gary.Jones@uspto.gov); 2827 – [Dave.Talbott@uspto.gov](mailto:Dave.Talbott@uspto.gov) or 2834 – [Nestor.Ramirez@uspto.gov](mailto:Nestor.Ramirez@uspto.gov).

**Example:**

**Claims 1-5 (canceled)** (Note: consecutive canceled or withdrawn claims may be aggregated)

**Claim 6 (withdrawn)**

**Claim 7 (previously amended):** A bucket with a handle.

**Claim 8 (currently amended):** A bucket with a ~~green~~ blue handle.

**Claim 9 (withdrawn)**

**Claim 10 (original):** A bucket with a wooden handle.

**Claim 11: (new):** A bucket with plastic sides and bottom.